

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

ELI MELLOR.

Case No. 2:13-CV-1502 JCM (VCF)

Plaintiff(s),

ORDER

V.

WEST TROP STORAGE, LLC dba GREAT
AMERICAN STORAGE SOLUTIONS,

Defendant(s).

Presently before the court is the Ninth Circuit’s memorandum in this case reversing this court’s denial of *pro se* plaintiff Eli Mollar’s motion to amend the complaint “because it is not clear that amendment would be futile.” (ECF No. 73 at 2). Per that memorandum’s instruction, this court finds that the parties are diverse. (*Id.* at 3) (citing *Johnson v. Columbia Props. Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006)).

Therefore, plaintiff will have twenty-eight (28) days from the date of this order to resubmit his motion to amend the complaint. Plaintiff may include facts and allegations reflecting occurrences since this court's 2015 decision to deny the motion to amend. However, the court warns plaintiff that the failure to strictly comply with the twenty-eight (28) day deadline may be grounds for dismissal of the case for failure to prosecute.

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that plaintiff shall have twenty-eight (28) days from the date of this order to file a renewed motion to amend the complaint.

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1 IT IS FURTHER ORDERED that failure to strictly comply with the twenty-eight (28) day
2 deadline may be grounds for dismissal of the case for failure to prosecute.

3 DATED August 1, 2017.

4 
5 UNITED STATES DISTRICT JUDGE

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